

REMARKS

For the amendments made to the claims and the remarks made herein, applicant respectfully requests reconsideration and withdrawal of the rejections.

Claims 1-9 are pending and stand rejected.

Claims 1-9 stand rejected under 35 USC 102(e) as being anticipated by Nystrom (USP no. 6,526,091).

Applicant respectfully disagrees with, and explicitly traverses, the reason for rejecting the claims.

The present invention, as recited in claim 1, for example, recites a communication system wherein data is transmitted with an initial code word until synchronization is obtained and data is transmitted with a final synchronization word, i.e., a second code word, after synchronization has occurred.

Nystrom, on the other hand, describes a method and apparatus for synchronization of a transmitter and a receiver based on orthogonal sequences having optimized correlation properties. (See Abstract). More specifically, Nystrom teaches an unscrambled synchronization channel SCH that comprises two parts: a primary synchronization code (PSC) and a secondary synchronization code (SSC) both of which are transmitted once per slot." (emphasis added). (see col. 5, lines 19-22).

However, contrary to the statements found in the Office Action, Nystrom fails to describe "[a] modulator ... to modulate the respective data signal (16) with an initial code word until synchronization with the primary station (2) is obtained, the modulator (10) being further embodied so as to modulate the respective data signal (16) with a respective final code word after synchronization with the primary station (2) has been obtained," as is described in the claims. Rather, Nystrom describes a method of transmission of both synchronization codes but does not describe transmission of data using the PSC code until synchronization is obtained and the transmission of data using the SSC thereafter.

A claim is anticipated only if each and every element recited therein is expressly or inherently described in a single prior art reference. Nystrom cannot be said to anticipate the present invention, because Nystrom fails to disclose each and every element recited.

Applicant submits that for the remarks made herein, the reason for the rejection of claim 1 has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of this claim.

With regard to the remaining independent claims, these claims recite subject matter similar to that recited in claim 1 and were rejected for the same reason used in rejecting claim 1. Thus, the remarks made in response to the rejection of claim 1 are also applicable in response to the rejection of the remaining independent claims. For the remarks made with regard to the rejection of claim 1, which are reasserted, as if in full, herein, in response to the rejection of the remaining independent claims, applicant submits that the reason for rejecting these claims has been overcome and the rejection can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the remaining independent claims.

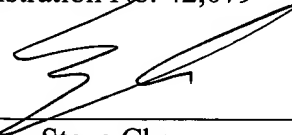
With regard to the remaining dependent claims these claims ultimately depend from the independent claims which have been shown to contain subject matter not disclosed by, and allowable over, the reference cited. Accordingly, these claims are also allowable by virtue of their dependency from an allowable base claim.

Applicant respectfully requests withdrawal of the rejection and allowance of the dependent claims.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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Date: June 30, 2005

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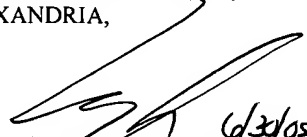
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6/30/05